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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 3:11-CR-076-HDM (VPC)
11 BRIAN THOMAS KOWALCZYK,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on September 8, 2011, defendant BRIAN THOMAS KOWALCZYK
15 pled guilty to Count One of a One-Count Criminal Indictment charging him with Felon in Possession
16 of a Firearm, in violation of Title 18, United States Code, Section 922(g)(1). Docket #1, #19.

17 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
18 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal
19 Indictment and the offense to which defendant BRIAN THOMAS KOWALCZYK pled guilty.

20 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
21 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 22 1. Colt, model Frontier Scout, .22 caliber revolver, serial number 2266WB; and
23 2. Any and all ammunition ("property").

24 This Court finds the United States of America is now entitled to, and should, reduce the
25 aforementioned property to the possession of the United States of America.

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1 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
2 United States of America should seize the aforementioned property.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
4 BRIAN THOMAS KOWALCZYK in the aforementioned property is forfeited and is vested in the
5 United States of America and shall be safely held by the United States of America until further order
6 of the Court.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
8 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
9 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
10 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
11 the name and contact information for the government attorney to be served with the petition,
12 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
14 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
15 Virginia Street, 3rd Floor, Reno, NV 89501.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
17 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
18 following address at the time of filing:

19 Greg Addington
20 Assistant United States Attorney
21 100 West Liberty Street, Suite 600
22 Reno, NV 89501
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 13th day of September, 2011.

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9 UNITED STATES DISTRICT JUDGE
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